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September 4, 2007

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BY FACSIMILE

HAROLD BAER
S. DISTRICT JUDGE
S. D. N.Y.

The Honorable Harold Baer
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007
Fax: (212) 805-7901

Re: *United States v. Aharon Weichselbaum*, 07 Cr. 540

Dear Judge Baer:

We represent Aharon Weichselbaum in the matter referenced above. Sentencing for Mr. Weichselbaum is currently scheduled for September 27, 2007. Together with Assistant United States Attorney Rhonda Jung, we write to request that Your Honor adjourn Mr. Weichselbaum's sentencing to October 25, 2007.

First, we have not yet received the initial pre-sentence investigation report for Mr. Weichselbaum, and, as a result, we will not have time to respond to the report prior to the current sentencing date as provided for in Rule 32 of the Federal Rules of Criminal Procedure and Section 6A1.2 of the United States Sentencing Guidelines. Both provisions require Probation to serve the initial report on the government, the defendant, and the defendant's counsel at least 35 days prior to sentencing in order for the parties to have an adequate opportunity to respond to the Probation Department prior to its submission of the final report to the Court. (Fed. R. Crim. P. 32(e)(2), U.S.S.G. § 6A1.2(a)).

In addition, September 27 is the first day of Sukkot, a seven-day Jewish observance. Mr. Weichselbaum, who is Jewish, observes Sabbath-like restrictions on the first and last two days of Sukkot.

Accordingly, we respectfully request that Your Honor adjourn Mr. Weichselbaum's sentencing to October 25, 2007.

Respectfully,

Mina M. Beattie

Cc: Rhonda Jung, Assistant United States Attorney

SO ORDERED:
Harold Baer, Jr., U.S.D.J.
Date: 9/5/07

Endorsement:

I'll adjourn per your request it ought be a great pre
sentence memo October 25, 2007 at 11:00 A.M.